

1 independent form. New claim 23 requires the same limitations as original claim 14, and depends
2 from new claim 22.

3
4 II. THE AMENDMENTS TO THE SPECIFICATION

5 Several amendments were made to the specification to correct typographical errors, to
6 clarify term definitions, and to ensure consistency between the terms used in the claims and the
7 specification. No new matter has been added by these amendments.

8
9 III. CLAIMS 1, 2, 4, 5, 15 THROUGH 17, 19, AND 20 ARE NOT ANTICIPATED BY
10 WALLACH

11
12 Claims 1, 2, 4, 5, 15-17, 19, and 20 were rejected under 35 U.S.C. §102(b) as being
13 anticipated by U.S. Patent No. 3,949,746 to Wallach ("Wallach" or the "Wallach patent"). The
14 Applicants respectfully submit that the present claims are not anticipated by Wallach.

15
16 Independent Claims 1 and 15

17 Claim 1 is directed to a device for refurbishing used inkjet cartridges and requires a pump
18 assembly that includes an ink intake, an ink outlet, and a control input. Additionally, claim 1
19 requires a fill gun that includes a fill needle, a handle, a kill switch, and a fill trigger switch
20 where the kill switch is located on the handle of the fill gun.

21 Wallach is directed to an apparatus for injecting medications into animals. The apparatus
22 in Wallach includes an injecting device and a separate pumping device. The injecting device is a
23 gun-like apparatus that includes a handle with a trigger and a number of hypodermic needles

1 connected to the handle. Each of the needles is connected to a respective pump by a particular
2 conduit. In addition, each of the respective pumps is connected to a particular medication supply
3 container. The pumps for each needle and the respective medication supply containers comprise
4 the pumping device.

5 When the trigger of the injecting device is depressed, the needles extend so that they are
6 inserted into an animal and then medication is distributed into the animal through the needles.
7 The pumping device supplies the respective medications to each of the needles based on the
8 setting of a respective knob on the pumping device.

9 The Examiner characterizes these knobs located on the pumping device (item 77 in
10 Figure 2 of Wallach) as the kill switch now required by claim 1 of the present application.
11 However, these knobs are located on the pumping device and not on any element representing a
12 gun-like injecting device. Since these knobs are located on the pumping device and not the
13 injecting device, Wallach does not teach or suggest the kill switch located on the fill gun required
14 by claim 1 as amended. Therefore, Wallach cannot anticipate claim 1. For these reasons the
15 Applicants respectfully submit that claim 1 is entitled to allowance together with its respective
16 dependent claims, claims 3 through 9.

17 Independent claim 15 requires similar limitations to those of claim 1. In particular, claim
18 15 requires a kill switch that is located on the fill gun. Therefore, as set out above with respect to
19 claim 1, since Wallach does not teach or suggest a kill switch that is located on the fill gun,
20 Wallach cannot anticipate independent claim 15. Therefore, the Applicants believe that
21 independent claim 15 is entitled to allowance along with its respective dependent claims, claims
22 16 and 18 through 20.

1 IV. CLAIMS 10 AND 12 ARE NOT ANTICIPATED BY MAERZKE OR MOSER

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3 Claims 10 and 12 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S.
4 Patent No. 5,709,253 to Maerzke ("Maerzke" or the "Maerzke patent") or by U.S. Patent No.
5 5,883,652 to Moser et.al. ("Moser" or the "Moser patent"). The Applicants respectfully submit
6 that the respective claims are not anticipated by either Maerzke or Moser.
7

8 Independent Claim 10

9 Claim 10 requires inserting a fill needle of a fill gun into an inkjet cartridge and activating
10 a fill trigger switch on the fill gun to activate a pump assembly to transfer ink from an ink intake
11 line to the fill needle and into the inkjet cartridge. In addition, claim 10 requires detecting a
12 configuration error and actuating a kill switch on the fill gun to deactivate the pump assembly in
13 response to the configuration error. Claim 10, as amended, simply adds the limitations required
14 by original claim 11. Since the Examiner has noted that claim 11 is directed to allowable subject
15 matter, the Applicants respectfully submit that claim 10 is entitled to allowance along with its
16 respective dependent claims, claims 12 through 14.
17

18 V. NEW CLAIMS 21 THROUGH 23 ARE NOT ANTICIPATED BY ANY CITED
19 REFERENCE

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21 Independent Claim 21

22 Independent claim 21 requires a pump assembly that includes an ink intake, an ink outlet,
23 and a control input. Claim 21 also requires a fill gun having a fill needle, a handle, and a fill
24 trigger switch. Additionally, claim 21 requires an auto-cutoff device that includes a timer where

1 the auto-cutoff device is operable to automatically deactivate the pump assembly after a set
2 period of operation measured by the timer. Claim 21 is simply original claim 6 rewritten in
3 independent form. Since the Examiner has noted that original claim 6 is directed to allowable
4 subject matter, the Applicants respectfully submit that new claim 21 is clearly entitled to
5 allowance.

6
7 Independent Claim 22

8 Claim 22 requires inserting a fill needle of a fill gun into an inkjet cartridge and activating
9 a fill trigger switch on the fill gun to activate a pump assembly to transfer ink from an ink intake
10 line to the fill needle and into the inkjet cartridge. In addition, claim 22 requires deactivating the
11 pump assembly and inserting the ink intake line into a cleaner fluid supply prior to activating the
12 pump assembly. The limitations of claim 22 are simply those of original claim 13 rewritten in
13 independent form. Since the Examiner has noted that claim 13 is directed to allowable subject
14 matter, the Applicants believe that new claim 22 is clearly entitled to allowance along with its
15 respective dependent claim, new claim 23.

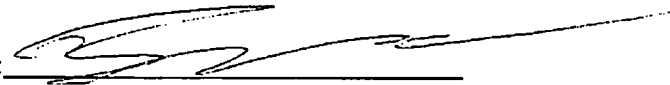
1 VI. CONCLUSION

2 For all of the above reasons, the Applicants respectfully request reconsideration and
3 allowance of claims 1, 3-10, 12-16, and 18-20 and consideration and allowance of new claims
4 21-23. If the Examiner should feel that any issue remains as to the allowability of these claims,
5 or that a conference might expedite allowance of the claims, he is asked to telephone the
6 Applicants' attorney, Russell D. Culbertson, at the number listed below.

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8 Respectfully submitted

9 The Culbertson Group, P.C.

10
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22 CERTIFICATE OF FACSIMILE

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24 I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark
25 Office, (Facsimile No. 703-872-9306) on February 17, 2005.

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